

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                          4:05CR3011  
                                )  
v.                            )  
                                )  
ROBERT POPEJOY,            )                          ORDER  
                                )  
Defendant.                 )  
                                )

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IT IS ORDERED:

1. An evidentiary hearing on defendant Popejoy's motion to suppress evidence, filing 42, will be held before the undersigned on January 19, 2006 from 9:00 a.m. until noon and continuing thereafter as needed beginning at 2:30 p.m. The hearing will be held in Courtroom #2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
2. The defendant, defendant's counsel, and counsel for the government shall be present at this hearing.
3. Pursuant to NECrimR 12.5, copies of all exhibits expected to be offered into evidence during the hearing, except those to be used for impeachment only, shall be delivered to the chambers of the undersigned at least twenty-four (24) hours before the hearing and, at the outset of the hearing, to the extent reasonably possible, the parties shall provide the undersigned and the courtroom deputy with a written list of all witnesses the parties expect to call.
4. The trial of this case is continued until further order of the court following resolution of outstanding motions.

Dated this 7<sup>th</sup> day of December, 2005.

BY THE COURT

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge